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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

SEBASTIAN E. LENTINI, QSC
ENTERPRISES, INC., QSC II, INC.,
QSC III, INC., QSC IV, INC., TLC
ENTERPRISES, INC., and M&A
ENTERPRISES, INC.,

Plaintiffs,

vs.

MCDONALD'S USA, LLC; INGRID
RODRIGUEZ, MWAFFAK KANJEE,
MATHEW AJAYI, UNIDENTIFIED
CORPORATE ENTITIES A-Z and
JOHN DOES 1-10,

Defendants.

Civil Action No. _____

NOTICE OF REMOVAL

Document filed electronically

**TO: THE HONORABLE JUDGES AND CLERK OF
THE UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

PLEASE TAKE NOTICE that Defendants McDonald's USA, LLC, Ingrid Rodriguez, Mwaffak Kanjee and Mathew Ajayi (collectively, "Defendants"), by and through its undersigned counsel, and pursuant to 28 U.S.C. § 1331, 1367, 1441 and 1446, file this Notice of Removal of the above-captioned action from the Superior Court of New Jersey, Law Division, Hudson County, where it is currently pending,

to the United States District Court for the District of New Jersey. As set forth below, this Court has original subject matter jurisdiction over this matter because Plaintiffs have asserted a claim that arises under the Racketeer Influenced and Corrupt Organizations Act (“RICO”), 18 U.S.C. § 1962(c) (28 U.S.C. § 1331) and the other claims in the case are so related to the RICO claim that they form part of the same case or controversy (28 U.S.C. § 1367(a)). Pursuant to 28 U.S.C. § 1446(d), copies of this Notice of Removal will be served upon Counsel for Plaintiffs and filed with the Clerk of the New Jersey Superior Court, Law Division, Hudson County, as an exhibit to the Notice of Filing of Notice of Removal that is filed with the Superior Court of New Jersey in this action.

In support of this removal, Defendants state as follows:

Proceedings In the State Court Action

1. On September 18, 2017, Plaintiffs commenced this action by filing a Complaint in the Superior Court of New Jersey, Law Division, Hudson County, Docket No. HUD-L-3840-17 (the “State Court Action”).
2. On December 13, 2018, Plaintiffs filed a Motion to Amend Complaint (“Motion to Amend”) to assert, *inter alia*, a claim for violation of the Racketeer Influenced and Corrupt Organizations Act (“RICO”), 18 U.S.C. § 1962(c), as well as several state law claims.
3. On January 16, 2019, the state court granted the Motion to Amend, and

the Amended Complaint was deemed filed as of that date. A true and correct copy of the Amended Complaint is attached hereto as Exhibit 1.

4. A true and correct copy of the docket in the State Court Action is attached hereto as Exhibit 2.

5. True and correct copies of all documents filed in the State Court Action are attached hereto as Exhibit 3-68.

GROUND FOR REMOVAL

6. This case is removable to the United States District Court for the District of New Jersey, pursuant to 28 U.S.C. § 1331, 1367, 1441, and 1446. This Court has original subject matter jurisdiction over this case because Plaintiffs have asserted a claim that arises under the laws of the United States and the other claims in the case are so related to the federal claim that they form part of the same case or controversy.

C. The Other Prerequisites for Removal Have Been Satisfied

7. In addition to satisfying the requirements of diversity jurisdiction, Defendants have satisfied all other requirements for removal.

8. This Notice of Removal is timely filed because it was filed within thirty days of the date the Motion to Amend was granted. *D'Agostino v. Domino's Pizza*, 2018 WL 1914239, at *2 (D.N.J. Apr. 23, 2018).

9. Removal to this Court is proper because this Court is “the district court

of the United States for the district and division embracing the place where such action is pending” which is the Superior Court of New Jersey, Law Division, Hudson County. 28 U.S.C. § 1441(a).

10. In accordance with 28 U.S.C. § 1446(d), Defendants will promptly serve a copy of this Notice of Removal on Plaintiffs’ counsel, and will file a Notice of Filing this Notice of Removal with the Clerk of the Superior Court of New Jersey, Law Division, Hudson County, in the State Court Action.

11. If any questions arise as to the propriety of the removal of this action, Defendants respectfully request the opportunity to submit additional papers and to present oral argument.

WHEREFORE, Defendants hereby remove this action, which was previously pending in the Superior Court of New Jersey, Law Division, Hudson County, and bearing State Court Docket Number HUD-L-3840-17, to the United States District Court for the District of New Jersey.

Respectfully submitted,

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